

February 2, 1973

CLERK: 34 ayes, no nays, 15 not voting.

SPEAKER: Very good. We will move to the general file consideration of LB 40, Senator Stull's bill.

CLERK: Title Read LB 40.

SPEAKER: The Chair recognizes Senator Luedtke.

SENATOR LUEDTKE: Mr. Chairman I move the adoption of the committee amendments to LB 40. Mr. President and members of the legislature, the amendments which are found in your book show that the, on page 2 of the bill that we have reinstated stricken matter in section 1, and then inserted may. Now what this does first of all by way of explanation, this is a bill which applies to the associate county judges under the new county, district county court plan and involves a few counties principle those counties under three thousand population where the county clerk has been named automatically under the bill as the clerk of the county court and sometimes as the associate county judge and I'll let Senator Stull go into that, and to the reason for the bill, but the change here would make it permissive to continue to have county clerk as the clerk of the county court, it would be permissive only and not mandatory and it would change the second part of the amendment which change the minimum salary for these particular persons when the county clerk serves, it will be a thousand dollars, when the county clerk also serves as associate judge it would be the minimum additional salary of a thousand dollars and the minimum salary for an associate judge would be increased to twenty four hundred dollars, and that was the change. It will have some fiscal impact, I'll let Senator Stull relate to whether or not he feels it will have the same fiscal impact as the fiscal note or not, I think there maybe, I don't think it would be any more than the fiscal note, it might be even less, because it's optional now.

SPEAKER: Is there any further discussion of the committee amendment as explained by Senator Luedtke? Senator Stull do you have input or any further discussion? The question is shall the amendments as explained by Senator Luedtke, the committee amendments be adopted? All those in favor say aye, those opposed say no, so ordered the committee amendments are adopted. Senator Stull what is your pleasure?

SENATOR STULL: Mr. President and members of legislature, when we passed LB 1032, it created problems in about, well we have sixteen counties under three thousand population and it did create a problem in some of these counties, and we have two of those counties in my district, Sioux County and Grant County. Now the problem in Grant County, the judges that were elected I understand live in North Platte and that's a distance of about one hundred and forty miles from Hyannis, so it was necessary to try to get this amended so we could pay someone in Hyannis enough salary that they could afford to be an associate judge. The county clerk in those small counties are also the register of deeds, the clerk of the district court, and the county assessor, and so in most of them they have their hands full. It isn't true in all of them, and this amendment would put some flexibility into the statute so that they could deal with these problems individually and work out needs of these small counties. That really explains the bill, and there is a need to have a county judge there, associate judge, because we have done away with J.P.'s, now in Hyannis that's on highway 2, and once in awhile there is a person picked up for speeding, and they want to pay their fine and go on, and so I think this would be the answer to their problem, and I would move that the bill be advanced to E&R.

SPEAKER: Is there any further discussion of the bill. The Chair recognizes Senator Nore.